

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**SAMUEL ELOY M.,**

**Plaintiff,**

**vs.**

**CIV. NO. 2:24-cv-00905-KRS**

**CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,**

**Defendant.**

**ORDER GRANTING DEFENDANT’S UNOPPOSED MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)**

Defendant, Commissioner of the Social Security (“Commissioner”), has filed an unopposed motion with this Court (Doc. 13), pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings. Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner’s decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner’s request for remand of this action for further proceedings, this Court hereby **REVERSES** the Commissioner’s decision on the Title XVI claim<sup>1</sup> in this matter under sentence four of 42 U.S.C. § 405(g) with a **REMAND** to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

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<sup>1</sup> On November 16, 2023, Plaintiff voluntarily withdrew his Title II claim. (Doc. 12-2 at 18). The Administrative Law Judge subsequently dismissed Petitioner’s Title II claim on January 26, 2024. *Id.* at 19.

IT IS SO ORDERED this 30<sup>th</sup> day of December, 2024.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive style with a horizontal line underneath it.

THE HONORABLE KEVIN R. SWEAZE  
UNITED STATES MAGISTRATE JUDGE